

**DETAILED ACTION**

1. Claims 1, 5, 8-11, 17, 18, 21-23, 25, 32, 33, and 36 are allowed. Claims 3, 4, 6, 7, 12-15, 19, 20, 26-30, 34, 35, and 38 have been canceled in applicant's amendment filed 27 February 2009. Claims 2, 16, 24, 31, and 37 have been canceled in applicant's amendment filed 16 September 2009.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 September 2009 has been entered.

***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Seth Kim (Reg. # 54,577) on 04 December 2009.

The application has been amended as follows:

In claim 1, lines 5 and 6: "if the defective area within a data area of the recording medium is detected" has been changed to --if the defective area is detected within a data area of the recording medium--;

In claim 1, line 8: "in the spare area" has been changed to --in the at least one spare area--;

In claim 36, line 8: "if the defective area within a data area is of the recording medium detected" has been changed to --if the defective area is detected within a data area of the recording medium--; and

In claim 36, line 10: "in the spare area" has been changed to --in the at least one spare area--.

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1/13/10